



TOWNSHIP OF UPPER UWCHLAN
BOARD OF SUPERVISORS
REGULAR MEETING

May 16, 2016

7:00 p.m.

Approved

In Attendance:

Board of Supervisors

Guy A. Donatelli, Chair

Kevin C. Kerr, Vice-Chair

Jamie W. Goncharoff, Member

Township Administration

Cary B. Vargo, Township Manager

Gwen A. Jonik, Township Secretary

Jill Bukata, Township Treasurer

Mike Heckman, Director of Public Works

Al Gaspari, Codes Administrator

Dave Leh, P.E., Township Engineer

Chris Williams, McMahon Associates

Mr. Donatelli called the meeting to order at 7:01 p.m., led the Pledge of Allegiance, and offered a moment of silence.

Approval of Minutes

Mr. Kevin moved, seconded by Mr. Goncharoff, to approve as presented the minutes of the April 7, 2016 Conditional Use Hearing, April 12, 2016 Joint Boards & Commissions Workshop and the April 25, 2016 Board of Supervisors Meeting and Conditional Use Hearing. Mr. Goncharoff commented that the Township Secretary's minutes of a Conditional Use Hearing are a summarization and the Court Stenographer's hearing transcripts are the official Record. The Motion carried unanimously.

Approval of Payments

Mr. Kerr moved, seconded by Mr. Goncharoff, to approve the payments to all vendors as listed May 13, 2016. The Motion carried unanimously.

Treasurer's Report

Jill Bukata reported that the Finance Department is reviewing and revising the Accounting Policies Manual. The Cash Receipts and the Utility Billing Receipts & Collection Policies have been updated and approval by the Board is sought. The Utility Billing Receipts & Collection Policy now includes a more defined schedule regarding collection of delinquent trash/recycling and public sewer service accounts and initiation of lien or Sheriff's Sale processes. A lien will be initiated if a trash/recycling account has a \$1,300 or greater balance (4 years non-payment) and a public sewer service account has a \$2,300 or greater balance (3 years non-payment).

Mr. Kerr moved, seconded by Mr. Goncharoff, to approve the revised Cash Receipts and the Utility Billing Receipts & Collection Policies. The Motion carried unanimously.

Mrs. Bukata reported the Township's financial position remains strong, with year to date revenues at 42% of budget and expenses at 27.8% of budget. The earned income tax revenue is \$62,000 higher than this time last year.

Supervisor's Report

Mr. Donatelli advised that the Board met earlier this evening with Jim Shrimp, who is interested in filling a mid-term vacancy on the Planning Commission. Mr. Goncharoff moved, seconded by Mr. Kerr, to appoint Mr. Shrimp to the Township Planning Commission. His term will expire December 31, 2017. The Motion carried unanimously.

Mr. Donatelli read the following calendar: May 30, 2016 Office closed – Memorial Day; June 14, 2016, 4:00 p.m. Board of Supervisors Workshop; June 14, 2016, 7:00 p.m. Board of Supervisors Special Meeting – Conditional Use Decision & Order re: Hankin Group Eagleview Corporate Center Lot #1; June 18, 2016, 6:00 p.m. 8th Annual Upper Uwchlan Township Block Party; June 20, 2016, 7:00 p.m. Board of Supervisors Meeting. Yard Waste Collections: May 18, May 25, June 8, June 15.

Administration Reports

Township Engineer's Report

Dave Leh reported that the consultants are reviewing Toll's Final Revised Plans for the Frame Property, a.k.a. Reserve at Chester Springs, to assure all outstanding comments have been addressed. They've also drafted a maintenance bond punchlist for Windsor Ridge.

Building and Codes Department Report

Al Gaspari reported that 64 building permits were issued in April, totaling \$88,300 in permit fees. Public sewer connections are beginning in the Eagle Manor, Windsor Place and Heather Hill developments - 40 permit applications await review/approval. Verizon is scheduling an installation of new antennas in the silo tower along the Turnpike, National Penn Bank is changing to BB&T and Penn Liberty Bank is changing to WSFS so signs are changing. The Fellowship Field Fieldhouse is being inspected for the occupancy permit. Dr. Fish has applied for a permit for his new office building next to his existing office.

Police Chief's Report

Chief DeMarco reported there were 1,281 incidents last month, including 15 reported crimes. The Department responded to Mr. Senn's comment last month and provided additional patrols regarding running the stop sign at Susan Drive and Township Line Road.

Public Works Department Report

Mike Heckman reported that the Department has been mowing township properties, performing routine maintenance on vehicles, using a new reporting program in Munilogic – completed 22 general public works items, 23 Authority-related work orders, 104 PA-One Call work orders, 24 trash/recycling items, 2 park-related work orders. The Department also completed roadway inspections for resurfacing projects, a new employee - Tim Connolly - started today, the staff has been completing Power DMS training programs, and several are attending Penn State Leadership Training.

Land Development

Eagleview Corporate Center Lot #1 Minor Subdivision Plan. Neal Fisher was unable to make the meeting. Cary Vargo summarized the 4-lot subdivision plan for Eagleview Lot 1 (71+ acres). The 4 lots follow natural boundaries and will segregate the building currently under construction for 3 other lots. The following waivers have been requested, mainly due to the fact that no new land development will occur on any of the lots at this time: waiver from size of the Plan, waiver from providing storm and sanitary sewer system information, waiver from providing a site analysis, a conservation plan, improvement / construction plan, proposed public water supply study and a landscape plan, and waiver from concession that there's no further subdivision of any of the lots. Mr. Donatelli and Mr. Goncharoff questioned why this was considered a minor subdivision, why our minor subdivision ordinance requires that there's no further subdivision on the lots, and why a waiver from that requirement is requested for this Plan. Cary Vargo and Dave Leh responded that minor subdivisions are a quicker approval process for small developments - under 5 lots, the requirement that there's no further subdivision of the newly created lots is to avoid repeated small developments, and while the waiver from no further subdivision wasn't included in the initial waiver request, it was asked of the Township Planning Commission and they were agreeable to the request.

Joanne McNaughton asked if the new lot that would contain the building currently under construction will comply with the impervious coverage requirements and Steve McNaughton asked if any further subdivided lots would have to comply with that and if a bog turtle study was required. Mr. Leh and Mr. Donatelli replied that all current and future lots would have to comply with impervious coverage requirements and bog turtle studies are part of the Land Development process, not Subdivision.

Mr. Kerr moved, seconded by Mr. Goncharoff, to grant Minor Subdivision Approval for Eagleview Corporate Center Lot #1, prepared by Chester Valley Engineers, dated February 11, 2016, with the following conditions. The Motion carried unanimously.

1. The Applicant shall comply with all comments listed in Gilmore & Associates review letter dated April 6, 2016;
2. A waiver from Section 162-7.A.(1)(e) which restricts lots generated as part of a minor subdivision to be restricted from further subdivision is granted;
3. A waiver from Section 162-9.C.(1)(b) which requires plans to be submitted on sheets 24"x36" in size is granted;
4. A waiver from Sections 162-9.C.(2).(b).[1], [2], [3], [4], [5] which requires subdivision / land development applications to provide a site analysis, conservation plan, improvements/construction plans, proposed public water supply study and landscape plan is granted; and
5. A waiver from Section 162-9.C.(2).(a).[8] which requires geometric information be provided for all storm and sanitary sewer systems is granted.

Sunderland Avenue Maintenance Bond Amendment, Performance Bond Release. Alyson Zarro, Esq., Riley Riper Hollin & Colagreco, presented on behalf of Toll and Orleans. The Township had previously taken dedication of Sunderland Avenue in Byers Station, which also serves the Ewing/Upper Uwchlan Township homes. The road is being used to access the construction of new carriage homes (Ewing) in West Vincent Township. The Developers are seeking the Township's approval to extend until June 21, 2018, the timeframe for the maintenance bond to be in effect as the West Vincent construction isn't complete. Mr. Goncharoff questioned the purpose of lengthening the maintenance bond period. Ms. Zarro advised that it protects the Township while the road is being used for the West Vincent Township construction.

Mr. Kerr moved, seconded by Mr. Goncharoff, to approve the Maintenance Bond Amendment, which extends the Maintenance Bond through June 21, 2018. The Motion carried unanimously.

Toll and Orleans, in conjunction with the amendment to the Maintenance Bond, requested the final release of the Ewing Tract – Upper Uwchlan Township -- Performance Bond, of which \$90,000 was being held for added security for Sunderland Avenue in addition to the Maintenance Bond, while the Ewing-West Vincent construction was underway. The expanded Maintenance Bond period replaces the need for those remaining funds.

Mr. Donatelli moved, seconded by Mr. Kerr, to release the Ewing Tract – Upper Uwchlan Township – Performance Bond. The Motion carried unanimously.

The agenda item, 'Toll Brothers – Ewing Tract Escrow Release' was listed in error.

ADMINISTRATION

Disposal of Township Property – Sale of Police Vehicle. The Township had advertised an on-line auction, through Municibid, for sale of the Police Department's 2006 Chevrolet Impala, as it was being replaced. The high bid was \$1,900.00. Mr. Goncharoff moved, seconded by Mr. Kerr, to accept the high bid of \$1,900.00. The Motion carried unanimously.

Noise Regulation Ordinance. Mr. Donatelli commented that the proposed Noise Ordinance has been reviewed, discussed and revised over the past several months by Township Staff,

Consultants, the County Planning Commission and the Township Planning Commission. This Ordinance amends the current Noise regulations by adding provisions regarding the time of day certain levels of noise are allowed or prohibited, which will aid administration and enforcement of the Ordinance. This amendment prohibits plainly audible noise that can be heard across property lines between 9:00 PM - 7:00 AM, and provides guidelines regarding commercial construction, drilling and demolition.

Mr. Kerr moved, seconded by Mr. Goncharoff, to adopt Ordinance #2016-05, amending the Code of Upper Uwchlan Township by adding a new Chapter 110 titled "Noise" and regulating the hours in which noise-producing work may be emitted in the Township. The Motion carried unanimously.

2016 Fee Schedule Revision. The 2016 Fee Schedule requires revision due to the Board's April 25, 2016 adoption of an increased Traffic Impact Fee, \$2,334.00 per trip. Mr. Goncharoff moved, seconded by Mr. Kerr, to adopt Resolution #05-16-16-09, which updates the 2016 Fee Schedule to reflect the increased Traffic Impact Fee. The Motion carried unanimously.

Village of Eagle Pedestrian Improvements Trail Project – Reimbursement Agreement. Cary Vargo advised that the trails along Route 100 from Upland Farm to Park Road and along Little Conestoga Road from Darrell Drive to Park Road have been designed. These trail segments will connect the Village of Eagle with neighborhoods to the north and west – Windsor Place, Eagle Manor, Waynebrook, Reserve at Eagle, Windsor Ridge, Eagle Hunt. Federal grants (Transportation Alternatives Program - TAP) will fund the trail construction (@ \$530,000) and the Township is funding the design. The Reimbursement Agreement includes instructions of how to bid the construction of the trails and be reimbursed. We hope to bid the project this year and be under construction early 2017. McMahon Associates designed the trails and will manage the project under a separate agreement.

Mr. Kerr moved, seconded by Mr. Goncharoff, to adopt Resolution #05-16-16-10 which authorizes the Township Manager to execute the TAP Federal Reimbursement Grant Agreement for Phase I of the Village of Eagle Pedestrian Improvements Project. The Motion carried unanimously.

Route 100 Wastewater Treatment Plant Phase II - Dedication of Plant. Cary Vargo advised the Township has received a Bill of Sale for Phase II of the Wastewater Treatment Plant, the physical Plant, which provides an additional 300,000 gpd of public sewer treatment capacity. Phase II of the Plant has been operational since November 2015 and warranties are in place.

Mr. Goncharoff moved, seconded by Mr. Kerr, to accept the Bill of Sale from Toll Brothers for the Phase II structures of the Route 100 Wastewater Treatment Plant. The Motion carried unanimously.

Information Technology (I.T.) Managed Services Sales Order and Service Agreement. Mr. Donatelli advised that the Township's Technology Advisory Board (TAB) had conducted a Request For Proposal for IT Services for the Township Offices. Three firms responded with proposals – All Covered, Help Now and Pegasus. The TAB reviewed the proposals, interviewed each firm, checked their references (municipal clients), held follow-up meetings, and have determined Help Now will provide the best solution at the best cost.

Mr. Kerr moved, seconded by Mr. Goncharoff, to approve Help Now's IT Managed Services Sales Order and Service Agreement and authorize the Township Manager to execute the documents. The Motion carried unanimously.

Open Session

Ron Wagner, Dorothy Lane, commented about the unpleasant view of and noise from the new Eagle Manor public sewer pump station, which is next to his property. He provided the Board

with a letter and pictures and requests the situation to be remedied. Mr. Vargo will meet with Mr. Wagner.

Joanne McNaughton inquired of the status of amending the outdoor storage tank ordinance. Mr. Vargo advised the Township does not have plans to amend the zoning ordinance at this time, and we continue to research the International Fire Code for potential adoption.

Adjournment

There being no further business to be brought before the Board, Mr. Donatelli adjourned the Meeting at 7:50 p.m.

Respectfully submitted,

Gwen A. Jonik
Township Secretary